

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)
PHARMACY, INC. PRODUCTS) MDL No. 2419
LIABILITY LITIGATION)
Plaintiffs,) Docket No. 1:13-md-2419 (RWZ)

This document relates to:

Armetta, et al. v. Box Hill Surgery Center,
LLC, et al.
No. 1:14-cv-14022-RWZ

Bowman, et al. v. Box Hill Surgery Center,
LLC, et al.
No. 1:14-cv-14028-RWZ

Davis, et al. v. Box Hill Surgery Center, LLC,
et al.
No. 1:14-cv-14033-RWZ

Dreisch, et al. v. Box Hill Surgery Center,
LLC, et al.
No. 1:14-cv-14029-RWZ

Farthing, et al. v. Box Hill Surgery Center,
LLC, et al.
No. 1:14-cv-14036-RWZ

Kashi, et al. v. Box Hill Surgery Center, LLC,
et al.
No. 1:14-cv-14026-RWZ

Torbeck, et al. v. Box Hill Surgery Center,
LLC, et al.,
No. 1:14-cv-14023-RWZ

Handy v. Box Hill Surgery Center, LLC, et al.
No. 1:14-cv-14019-RWZ

[Proposed]

**JOINT CONSENT ORDER STAYING
DISCOVERY DEADLINES FOR NON-
BELLWETHER CANDIDATE BOX
HILL CLINIC CASES**

The Court having been informed that in accordance with the Court's directions at the April

20, 2017 Case Management Conference, the parties in the above-captioned Box Hill MDL cases have been focusing their efforts on case-specific discovery as required by the Court's Third Amended Order Setting Discovery Deadlines ("Discovery Deadlines Order") (Dkt. 3301) on the two cases selected as potential bellwether cases by both Plaintiffs and Defendants, namely the *Dreish* personal injury case¹ and the *Kashi* survival/wrongful death case,² and the parties having requested the Court to formally address the status of the other six Box Hill MDL cases, and having considered the parties' joint request that the Court formally clarify discovery obligations for these cases under the Discovery Deadlines Order, and good cause appearing;

IT IS this 21st day of June, 2017, ORDERED that all deadlines specified in the Discovery Deadlines Order (Dkt. 3301) are hereby STAYED until further order of the Court as to the following *Box Hill Clinic* cases:

1. Armetta, 1:14-cv-14022-RWZ
2. Bowman, 1:14-cv-14028-RWZ
3. Davis, 1:14-cv-14033-RWZ
4. Farthing, 1:14-cv-14036-RWZ
5. Handy, 1:14-cv-14019-RWZ
6. Torbeck, 1:14-cv-14023-RWZ

IT IS FURTHER ORDERED that should exigent or extremis circumstances arise concerning a stayed case that necessitates case-specific discovery, the parties may, either by agreement or upon application to this Court for relief from the stay, take discovery necessary to protect their respective interests and rights.

¹ *Belinda L. Dreisch, et al. v. Box Hill Surgery Center, et al.* 1:14-cv-14029-RWZ.

² *Kiumarce Kashi, Individually and as Surviving Child and Personal Representative of the Estate of Bahman Kashi, et al. v. Box Hill Surgery Center, et al.* 1:14-cv-14026-RWZ

BY THE COURT:



Honorable Jennifer C. Boal
United States Magistrate Judge



Cc: Harry M. Roth, Esq.
Michael Coren, Esq.
Patricia J. Kasputys, Esq.
Jay D. Miller, Esq.
Glenn E. Mintzer, Esq.
Sharon L. Houston, Esq.
Catherine W. Steiner, Esq.
Gregory K. Kirby, Esq.